

September 9, 2023

VIA ECF AND ELECTRONIC MAIL

The Honorable Katherine Polk Failla
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: In re Tether and Bitfinex Crypto Asset Litigation, 19-CV-09236 (KPF) – Letter Motion to Seal the Stipulation and [Proposed] Order Governing the Deposition of the Anonymous Trader Filed at Docket 439

Dear Judge Failla,

We represent Plaintiffs in the above-referenced action. Plaintiffs submit this letter in advance of the Anonymous Trader's deposition, which is scheduled for Sunday, September 10, 2023, and intend to docket this submission at the earliest opportunity. Yesterday, the parties filed two copies of a Stipulation and [Proposed] Order Governing the Deposition of the Anonymous Trader (the "Stipulation"), one under seal and one with redactions to protect the Trader's personally identifying information, *see* Dkts. 438-1, 439-1. The Court granted the motion to seal and redact the Stipulation. Dkt. 441.

Yesterday, the Anonymous Trader requested that the redacted Stipulation filed at Docket 439-1 also be sealed in its entirety. *See* Dkt. 215. Plaintiffs do not oppose the Anonymous Trader's request. Yesterday, Plaintiffs' counsel asked counsel for all Defendants to inform Plaintiffs by 12 p.m. ET today if they objected to the Anonymous Trader's request, and none did so. Accordingly, Plaintiffs respectfully ask that the Court seal the redacted Stipulation at Docket 439-1.

Respectfully submitted,

/s/ Andrew R. Dunlap

Philippe Z. Selendy

Andrew R. Dunlap

Oscar Shine

Laura M. King

SELENDY GAY ELSBERG PLLC

1290 Sixth Avenue

New York, NY 10104

pselendy@selendygay.com

adunlap@selendygay.com

oshine@selendygay.com

lking@selendygay.com

/s/ Todd M. Schneider

Todd M. Schneider (*pro hac vice*)

Matthew S. Weiler (*pro hac vice*)

Mahzad K. Hite (*pro hac vice*)

SCHNEIDER WALLACE COTTRELL

KONECKY LLP

2000 Powell Street, Suite 1400

Emeryville, CA 94608

tschneider@schneiderwallace.com

mweiler@schneiderwallace.com

mhite@schneiderwallace.com

*Interim Lead Counsel and Attorneys for
Plaintiffs and the Proposed Class*

cc: All Counsel of Record (via ECF)